



# Department of Justice

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## **INDIANAPOLIS ARMED CAREER CRIMINAL SENTENCED TO 15 YEARS AS PART OF U.S. ATTORNEY'S VIOLENT CRIME INITIATIVE**

*Man with twenty year criminal history in Indianapolis-area faces more than a decade in prison*

### PRESS RELEASE

INDIANAPOLIS – Joseph H. Hogsett, the United States Attorney, announced today that Roy K. Herrell, age 45, of Indianapolis, has been sentenced to 180 months (15 years) in prison by U.S. District Judge Sarah Evans Barker. Herrell was convicted of possessing a firearm as a convicted felon, and was charged as part of the U.S. Attorney's Violent Crime Initiative.

"This Office targets violent offenders with long records and short memories," said Hogsett. "For the last twenty years, Mr. Herrell used the Marion County jails as his personal revolving door. With this conviction and sentencing decision, that revolving door was brought to a halt."

"And importantly, when Mr. Herrell gets to federal prison, he'll be taking a record of twelve felony convictions off the streets of Indianapolis," Hogsett added.

On October 18, 2011, Marion County law enforcement found Herrell to be in possession of a Weatherby, Mark XXII .22 caliber rifle. Herrell's lengthy criminal history in Marion County includes twelve felony convictions over the last twenty years, including charges related to theft, burglary, criminal recklessness, and resisting law enforcement. As a convicted felon, Herrell is not legally entitled to carry a firearm.

In sentencing Herrell, Judge Barker identified the defendant as an armed career criminal (ACC), a designation that carries with it a mandatory minimum of 15 years in federal prison. The ACC designation is a federal prosecutorial tool, and Hogsett said the sentencing enhancement was a key component of the office's efforts to assist local law enforcement combat violent crime.

This prosecution comes as part of the U.S. Attorney's Violent Crime Initiative (VCI), and are the result of collaborative investigative efforts by the Bureau of Alcohol, Tobacco, Firearms and Explosives, as well as the local law enforcement partners.

"The Bureau of Alcohol, Tobacco, Firearms and Explosives will continue to work in conjunction with our state and local law enforcement partners to investigate career criminals who commit firearms related crime," stated ATF Special Agent in Charge Robin Shoemaker, Columbus Field Division. "This remains a priority to ensure the safety of our communities."

Launched in March 2011, the VCI has produced a dramatic increase in the number of gun-related charges brought federally – from just 14 charges in 2010 to more than 110 last year. In 2012, that trend has continued, with the office filing more than one hundred firearms-related charges. More than half of the prosecutions under the VCI have been of Marion County defendants, who collectively represent more than 400 prior felonies in the Indianapolis area.

According to Assistant U.S. Attorney Michelle P. Brady, who prosecuted the case for the government, Herrell was also sentenced to 5 years of supervised release to be served at the end of his prison term. Federal sentencing rules require that, at a minimum, Herrell will serve 85% of his sentence in prison.

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